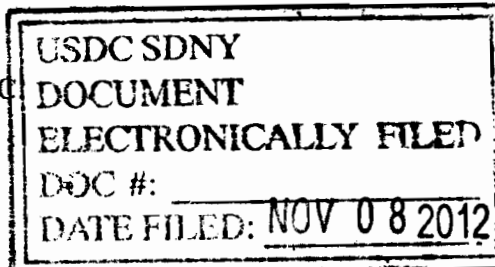


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—
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STEVEN WRIGHT
Office Manager
RYAN DUFFEY
Paralegal

November 5, 2012

BY FACSIMILE [(212) 805-0426]

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Daniel Valdez,
S12 10 Cr. 905 (LTS)

Dear Judge Swain:

This letter is submitted on behalf of Daniel Valdez, whom Joshua L. Dratel, Esq., represents by CJA appointment in the above-entitled matter, in regard to Mr. Valdez's sentencing, currently scheduled for November 14, 2012. Mr. Dratel will not be available for sentencing on the appointed date because he is out of the country for a two-week period, beginning today, to conduct Rule 15 depositions in *United States v. Basaly Moalin*, 10 Cr. 4246 (JM). Mr. Dratel intended to inform the Court of this scheduling conflict prior to his departure, and to provide the Court with possible dates that would work for both parties, but we did not hear back from the government until today, and the hurricane otherwise prevented Mr. Dratel from contacting the Court. It is respectfully requested that the Court adjourn Mr. Valdez's sentencing until January 21st or January 22, 2012, dates which Assistant United States Attorney Amie Ely informed me may be available to the Court based on a conversation with chambers on this matter that took place earlier today, and which are also available to the government. In addition, the government consents to this request.

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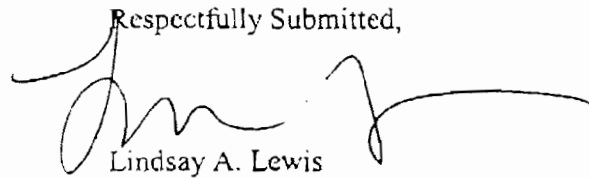
JOSHUA C. DRATEL

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Hon. Laura Taylor Swain
United States District Judge
Southern District of New York
November 5, 2012
Page 2 of 2

Accordingly, it is respectfully requested that the Court adjourn Mr. Valdez's sentencing until January 21st or January 22, 2013, at a time convenient for the Court.

Respectfully Submitted,



Lindsay A. Lewis

JLD/lal

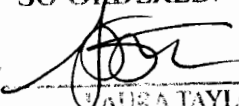
cc: Assistant United States Attorney Amie N. Ely (by facsimile)

The sentencing is adjourned
to January 22, 2013, at
12:30 pm.

SO ORDERED.

NEW YORK, NY

Nov 8, 2012



LAURA TAYLOR SWAIN

UNITED STATES DISTRICT JUDGE